REMARKS

Claims 1-12, all the claims pending in the application, stand rejected. Applicants have amended claims 1, 5-7 and 12.

Claim Objections

Claims 5-7 are objected to under 37 C.F.R. § 1.75(c) as being in improper form because multiple dependent claims cannot depend from any other multiple dependent claim. The Examiner indicates that he has not treated the claims further on the merits.

Applicants have amended the claims to provide proper dependency.

Claim Rejections - 35 U.S.C. § 112

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This rejection is traversed for at least the following reasons.

The Examiner notes that the Applicant claims a "first service" and a "second service," but finds it is not clear as to what those services are meant to be. The Examiner regards them as generic services that provide some kind of utility to the user.

As stated at page 1, line 12 and 13, "services" are "merchandise sales and games" that (1) are provided through communication networks and (2) permit an accumulation of points by users. The Examiner's interpretation of the word "service" as being simply "some kind of utility for the user" is not correct and excessively broad. The important feature is that such "service" can permit the accumulation of points based upon use of the service.

Nonetheless, in order to remove the basis for rejection, Applicants have provided a revised definition that clearly distinguishes over the prior art. Specifically, Applicants now have defined "services" as "comprising activities which allow users to earn points by using the service." Applicants respectfully submit that the rejection now should be withdrawn.

Claim Rejections - 35 U.S.C. § 102

Claims 1 and 2 are rejected under 35 U.S.C. § 102(e) as being anticipated by Postrel (6,594,640). This rejection is traversed for at least the following reasons.

Claim 1

The invention as set forth in claim 1 relates to a network service system for providing a user with first and second services. With reference to the exemplary embodiment of Fig. 1, but without limitation, the system includes a first (portal) server (14) for providing the first service <u>directly to a user</u>. A first database 18 is connected to the first server for installing point information in association with user identifying information related to the user in the first server. The system also includes at least one second (game) server 16 for providing a second service <u>directly to a user</u>. There also is a second database 20 connected to the second server for storing point information in association with user identifying information related to the user of the second server.

The first (portal) server includes "point offering means" for updating the point information stored in the first database in association with the user identifying information related to the user so as to offer points to the user (Fig. 12 item 14a). The second (game) server includes a "point consuming means" which may be a game providing unit 16a that provides the game server 16 with a game at the cost of points held by the user, as explained at page 20, lines 18-24. Finally, the network service system compromises a "point transferring means," which corresponds to the point transferring unit 16c in the game site server 16 that operates in accordance with the flowchart in Fig. 17, as explained at pages 24-25.

In addition, a point transferring unit 14c in portal site server 14 operates in accordance with the flowchart in Fig. 18, as explained at pages 25-26. Thus, the point transferring means comprises components in each of the first server 14 and second server 16 for updating the point information stored in the second database in association with the user identifying information related to the user in the second server based on the point information stored in the first database and association with the user identifying information related to the user in the first server.

Importantly, as noted above, both the first server 14 and second server 16 provide the service <u>directly to a user</u> of the system and the user can accumulate points at a respective server based on use of the service provided from that server. This is a <u>distributed system</u> that operates each server autonomously, without centralized control. A problem confronted by such system is to transfer points accumulated by a user at the first server 14 or at the second server 16 to the

other server. The present invention permits a secure communication between the servers <u>within a distributed system</u> such that an exchange of points maybe easily implemented. <u>No centralized control or coordination is required</u>.

Postrel

The Postrel reference concerns a system and method for operating a reward points accumulation and redemption program where a user at a computer 40 earns reward points from one or more merchants (30). A user's earned award points are accumulated for various transactions in an account stored on a respective reward server (10, 12 and 14). The user is able to transfer awarded points in any given server account to a single reward exchange account associated with the user. This exchange is facilitated by a trade server 20 having a central databank 54, as illustrated in Fig. 4.

With reference to Fig. 4, the Examiner identifies the claimed first server (20), first database (54), second server (10, 12, 14), and second database (52). Specifically, the Examiner asserts that the first server is a trading server that provides a first service and includes a point offering means for updating point information stored in the first database, with reference to col. 6, lines 47-50. The Examiner asserts that the second server (10, 12, 14) includes a point consuming means that consumes the points of a user when the second service is provided to the user, with reference to col. 6, lines 35-37. Finally, the point transferring means is asserted to be a feature of the second server, with reference to the disclosure at col. 6, lines 20-37.

Definition of Service

In framing the rejection, the Examiner refers to Postrel at col. 6, lines 5-11, which refer to a user's ability to "log in" to access the functionality provided where the user may interact with applications, forms or controls, and navigate to parts of the system as desired. However, Applicants now have defined "services" as "comprising activities which allow users to earn points by using the service."

The definition clearly prevents an assertion that the trading server 20 provides a "service." Specifically, the navigation function would not be of service since it does not result in the earning of points.

Centralized vs. Decentralized Points Management

A further clear distinction between the system in Postrel and the present invention is the use in Postrel of a centralized trade server 20, which serves as a central resource for accumulating some or all of the user's earned reward points from the reward servers and credits the accumulated points in a single reward exchange account associated with the user (Abstract).

As is clear from the description of the operation of the system at col. 6, lines 1-53, the trading server computer 20 obtains reward points from a user's accounts stored in one or more of rewards server 10, 12, 14. The reward server may also decrease a user's reward points, as indicated by the redemption step 612 of the flowchart of Fig. 8. As explained at col. 6, lines 47-52, the trading server computer 20 increases the reward exchange account 54 associated with the user by a received number of points from a reward server 10. Similar communications are made with regard to other reward servers 12 and 14, as explained at col. 6, lines 53-67.

By contrast, with reference to the illustration in Fig. 1 of the present application, there is no centralized trading server. Instead, each server 14, 16 is operable to both (1) provide a service that accumulates points to a user and (2) exchange or retrieve points from another server directly. Such system is highly effective and efficient since no intermediate trading server is required.

In order to emphasize this distinction, Applicants have amended claim 1 to specify that the first service and second service are provided "directly to a user."

No Point Consuming Means

Given the definition of "service" and the further limitation to a "second server", the invention has a "point consuming means" as claimed. Specifically, points are consumed from the user's account as a game is being played (page 20, lines 18-24). Thus, it is a server that provides the service directly to the user that implements such function.

By contrast, within Postrel, the reward server computer 10 decreases a user's reward points account 52 by a requested number of points in step 614 of Fig. 8. However, this is only in response to a communication 110 from a reward server. It is not as a result of the provision of the second service, as required by the claim. Thus, the function required by the claim limitation is not met and the limitation cannot be found in the Postrel reference.

For all of the foregoing reasons, the invention of independent claim 1 is not anticipated by Postrel.

Claim 2

Claim 2 is patentable for the reasons given with respect to parent claim 1.

Claim Rejections - 35 U.S.C. § 103

Claims 3 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Postrel in view of Freishtat et al (6,567,850). This rejection is traversed for at least the following reasons.

The Examiner admits that Postrel does not disclose a charge amount calculating means for calculating an amount of money to be paid from a person involved in the first server to a person involved in the second server. The Examiner asserts that Freishtat teaches a transaction model in which charges are calculated per transaction, the fees being directed towards the administrator providing the service to the end user, with reference to col. 14, lines 21-33.

Applicants respectfully submit that Freishtat does not remedy the deficiencies of Postrel in that there is no teaching or suggestion that a centralized service as taught in Postrel may be provided in a decentralized form as presently claimed. Thus, the claims are patentable due to their dependence on allowable claims.

Claims 8-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Postrel in view of Atalla (4,268,715). This rejection is traversed for at least the following reasons.

Claim 8

Claim 8 primarily concerns updating point information and secret identification information, and specifically includes a secret identification information updating means for updating secret identification information stored in the first database in association with the point information when the point information stored in the first database is updated by the point information updating means. As noted by the Examiner, this relates to the subject matter of Fig. 14 as disclosed at pages 21 and 22.

The foregoing feature provides security in functions related to the updating of points stored in databases, including operations where a transfer of points from one database to another database is to occur. The security is provided by changing the secret identification information.

Postrel

The Examiner admits that Postrel does not disclose such secret identification information updating means, or other features of claim 1 that involve use of secret identification information. However, the Examiner asserts that it would have been obvious to one skilled in the art to provide such updating means and conditional provision of transactions when secret identification information is matched, based upon the teachings of Atalla.

Atalla

Atalla does not concern games specifically, but is concerned with secure data transmission systems and, in particular, systems in which an identification code and random numbers in storage files are updated each time verification of a user is established.

However, the claimed secret identification information updating means updates the secret identification information _when_ the _point information_ stored in the first database _is updated_ by the point information updating means. Such updating may occur on the basis of the provision of the service during the operation of the first server or on the basis of a request for a transfer of point information. There is _no updating each time verification of a user is established_.

Moreover, the claim expressly requires point information and secret identification information returning means for returning both the point information and secret identification information stored in the first database when a point inquiry request is received. There is no relevant teaching or suggestion in Postrel, as admitted by the Examiner, and no teaching or suggestion of such _return of both_ information and secret identification information in Atalla.

On the basis of the foregoing distinction, the claim is patentable. Similarly, claim 9 is patentable due to its dependency from claim 8.

Claim 10

With regard to independent claim 10, which is directed to a point management device having structures similar to those in claim 8, again there would be no secret identification

information updating means or point information and secret identification information returning means, as claimed. Thus, on the basis of the foregoing distinction, the claim is patentable.

Claim 11

This claim, which is directed to a point management method, would also be patentable for reasons given with regard to claims 8 and 10, as there would be no secret identification information updating step or point information and secret identification information returning step, as claimed.

Claim 12

Claim 12 is directed to a network game system that includes the first game server and second game server, as well as the secret identification information updating means and point information and secret identification information returning means, as in claims 8 and 10.

Applicants have amended the claim to state that the servers provide a game service directly to a user and that the point inquiry and point transfer requests are received directly. This provides yet another argument for patentability.

Specifically, Postrel does not teach the transfer of points information between any game servers, or between any points-providing servers, without the intervention of a trading server 20. All requests are conducted with the trading server in-between.

Further, the language of the claim clearly focuses on communications between first and second devices, without intervention of an intermediate structure. Thus, because the present invention provides a distributed system while Postrel teaches a centralized system, the claim should be patentable for reasons already given.

Conclusion

On the basis of the foregoing arguments and amendments, claims 1-12 would be allowable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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